

REMARKS

The last Office Action has been carefully considered.

It is noted that claims, abstract and the specification are objected to and the claims are rejected under 35 USC 112 and 102.

After carefully considering the Examiner's ground for objection and rejections applicant has amended the specification and presented a new set of claims to more clearly define the subject matter of the present invention.

With regard to the Examiner's questions related to the terms "information" and "bioenergetic transfer " it is respectfully submitted that these terms are well known in the art, as exemplified for example by German patent No. 2810344, and Russian patents Nos. 2033784 and 2042349 which are described in the Background of the Invention of the present application and are incorporated here as references. It is therefore believed that these terms are sufficiently clarified.

In connection with the Examiner's ground for the rejection of the claims under 35 USC 112, it is respectfully submitted that according to extensive scientific

research, a potentiated substance, i.e produced by homeopathic methods described, for example, in The Homeopathic Pharmacopoeia of the United States, possesses certain properties which are different from those of the original substance in a material dose. This is especially true for homeopathic potencies higher than Avogadro constant. These facts are evident for anyone skilled in the art acquainted with the properties of homeopathic remedies.

More information can be found for example, in H.L.Coulter, "Homeopathic Science and Modern Medicine", The Physics of Healing with Microdoses", Berkley, North Atlantic, 1980; P.C.Endler et al., "Ultra High Dilution: Physiology and Physics", Dodrecht, Kluwer Academics, 1994; M.Doutremepuich, "Ultra High Doses", Washington/London, Taylor & Francis, 1991; G.Resch et al., "Scientific Foundation of Homeopathy", Munich, Bartel & Bartel, 1987.

It is believed that this answers the questions raised by the Examiner in his formal rejections of the claims as well as the specification.

With regard to the Examiner's question related to quantity of experimentation necessary, amount of guidance

presented and presence or absence of working samples, it is respectfully submitted that the answers to questions related to these issues can be found in the above mentioned patents and in The Homeopathic Pharmacopoeia of the United States.

As for the predictability of the art and breadth of the claims, it is respectfully submitted that the present invention covers the use of composition of any medicinal preparation with a substance in its therapeutic dose and its homeopathic (potentiated) form. Therefore the claims currently on file do not contain any specific chemical formula or composition and should not contain them, since this would unjustifiably limit the scope of the claims and protection of the applicant's invention.


Turning now to the art rejection by the Examiner, it is respectfully submitted that the present invention as defined in claim 4 suggests a medicinal preparation which contains any homeopathic medicinal substance which is combined with an original compound or substance in therapeutic dose. The patent to Ecanow discloses drug delivery compositions and methods. It does not disclose with a single word a medicinal preparation which combined a medicinal substance in a therapeutic

dose and a medicinal substance in a homeopathic dose with the same formula or composition. The reference does not contain any hint or suggestion that such features can be or must be provided. Therefore the Examiner's rejection of the original claims under 35 USC 102, or possible under 35 USC 103 should be considered as not tenable and should be withdrawn. The present application should be considered as allowable and such action is earnestly solicited.

Should the Examiner require or consider that the specification and/or claims should be amended, he is respectfully authorized to do it by his Amendment or to contact the undersigned, to pass the application to issue. Any fees can be charged to the account of undersigned 26-0085.

Respectfully submitted,

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Agent of Applicant
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EXTENSION REQUEST

It is requested to extend the term by 1 month and charge to account 26-0085.